



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES  
DIRECTOR

June 9, 2008

TO: Rebecca A. Humphries, Director

INFORMATION: Natural Resources Commission

Transaction: Sale of Reversionary Interest and Drainage Ditch Easement  
Atlanta Management Unit – Cheboygan County  
Land Transaction Case #19990025

Applicant: S & W Huggett Cheboygan Properties, Marlette, Michigan

Descriptions: Reversionary Interest Rights  
Cheboygan County, all in T37N, R01E: Benton Township, Section 8,  
East ½ of East ½,  
Section 9, South ½ of Northwest ¼, Grant Township, Section 17,  
East ½ of Northeast ¼.  
320 acres of land, more or less.

Sale Price: \$68,000.00

Drainage Ditch Easement  
Cheboygan County, T37N, R01E, Benton Township, Section 9,  
An easement over land described as being 10 feet on the North side and  
20 feet on the South side of a line legally described on the attached “Exhibit  
A” as the “center line of flow channel”.

Sale Price: \$4,000.00

Authority: Part 21 of Act 451, Public Acts of 1994, as amended

Notice: This item will appear on the Department of Natural Resources' (Department)  
June 30, 2008 Calendar and is eligible for approval on July 7, 2008. The  
transaction was also posted in local newspapers as required by legislation.

Comments: The applicant seeks to purchase the release of State-owned reversionary  
interest on 320 acres of land previously conveyed for use as a peat mining  
operation. The deed was issued for peat mining purposes with the stipulation  
that the property would revert to the State at such time as peat was no longer  
being mined in “commercially paying quantities”. There has been an ongoing  
dispute between the applicant and the State regarding the definition of

NATURAL RESOURCES COMMISSION

Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • Darnell Earley • John Madigan • J. R. Richardson • Frank Wheatlake

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"commercially paying quantities" as it relates to activation of the reversion clause. As a result, a settlement has been negotiated in order to resolve the matter to the State's satisfaction without the additional time and expense involved in litigating the matter.

The desired drainage ditch easement is requested to enable the applicant to maintain an existing ditch on State land to provide an outflow route for seasonal volumes of excess water from the company's cranberry bog.

The property is located inside the Department project boundary of the Atlanta Management Unit. Portions of the subject land were obtained by exchange (1930 and 1944) and by tax reversion (1910, 1926, 1928 and 1939). Mineral rights are owned by the State and will be retained.

The Land Exchange Facilitation Fund (LEFF) Act allows the Department to sell rights in land and deposit the proceeds in a fund, which can then be used to acquire replacement property. Deposit of said proceeds will not cause the fund to exceed \$2,500,000.00, as stipulated by legislation. Proceeds from the sale will be deposited in the LEFF.

- Recommendations:
- (1) That the State sell the reversionary interest and drainage ditch easement as proposed for a total cost of \$72,000.
  - (2) That the State retain rights to aboriginal antiquities and minerals.
  - (3) That all proceeds be deposited in the LEFF.

David E. Freed, Chief  
Land and Facilities

Lynne M. Boyd, Chief  
Forest, Mineral and Fire Management

Douglas A. Reeves, Acting Chief  
Wildlife

Kelley D. Smith, Chief  
Fisheries

Arminda S. Koch  
Resource Management Deputy

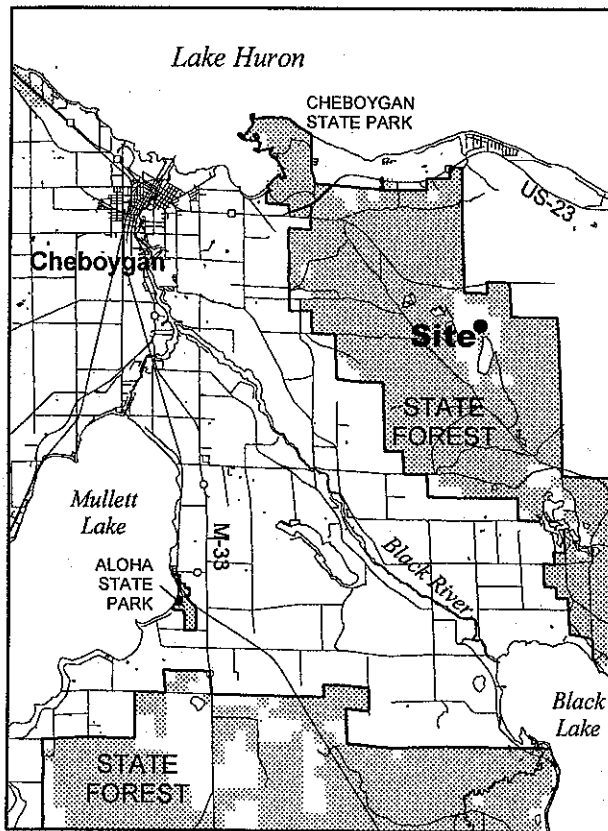
Dennis R. Fedewa  
Chief Deputy

I approve the staff recommendations.

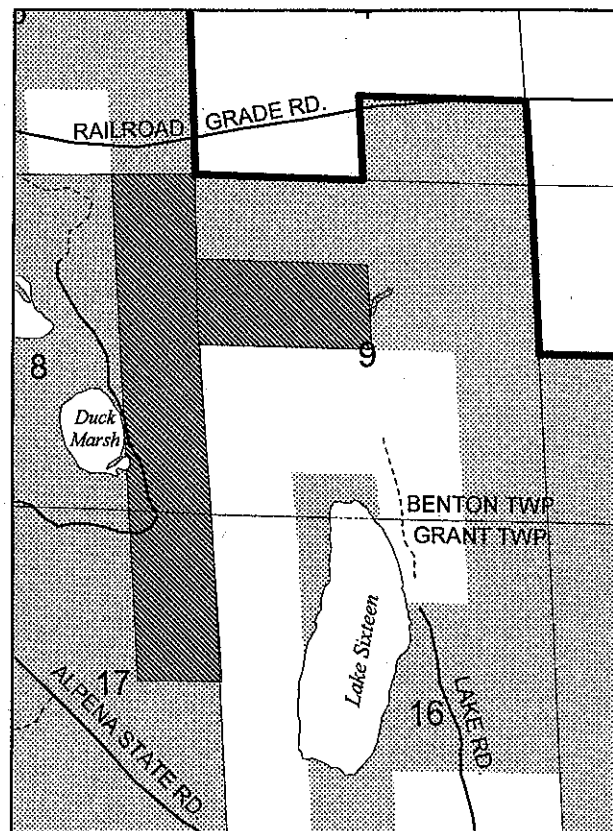
Rebecca A. Humphries  
Director

\_\_\_\_\_  
Date Approved

SALE OF REVERSIONARY INTEREST  
AND DRAINAGE DITCH EASEMENT  
Atlanta Management Unit - Cheboygan County  
Land Transaction Case #19990025  
(Map 1 of 2)

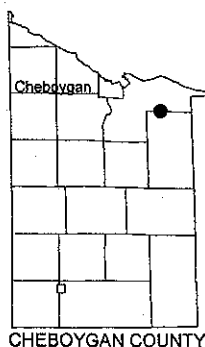


Regional Location



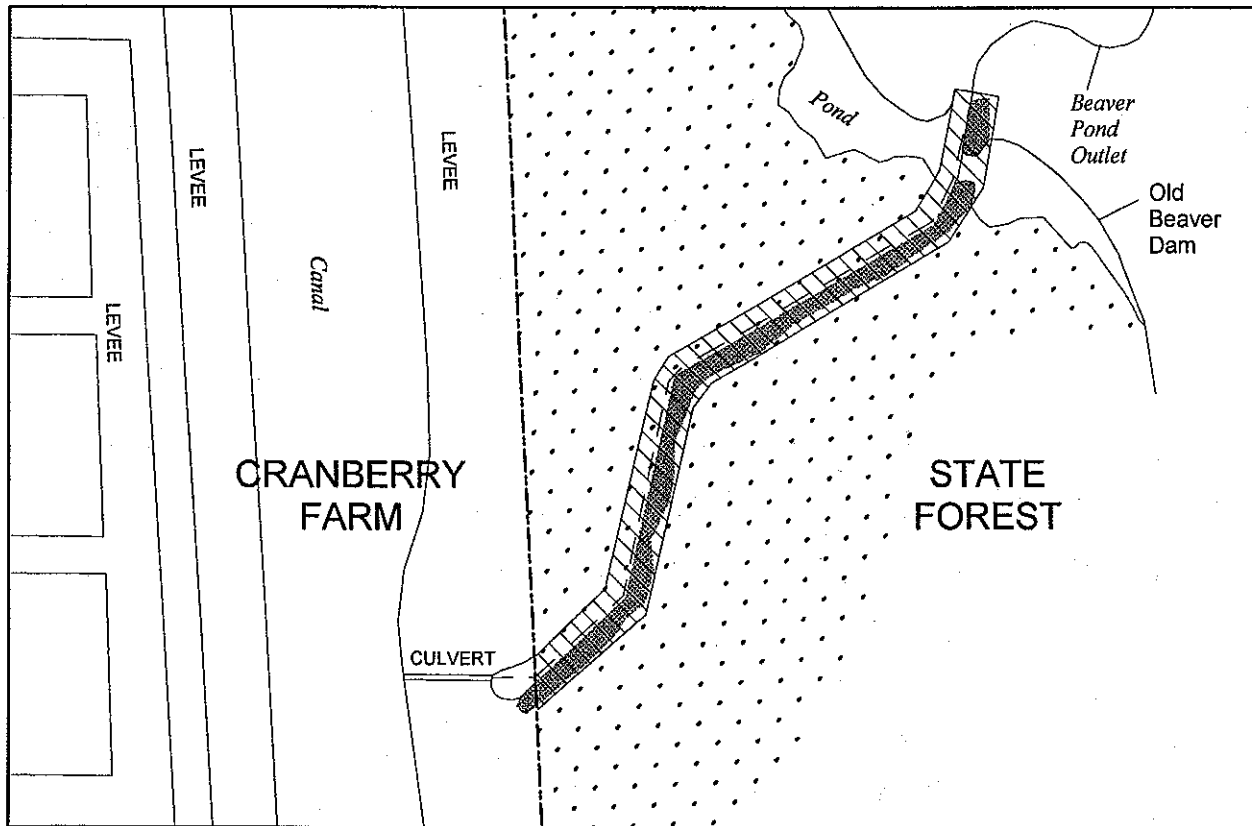
Sections 8 and 9, T37N, R01E, Benton Township  
Section 17, T37N, R01E, Grant Township

- State Forest Boundary
- Drainage Easement Desired from DNR (30 ft. by 577 ft.)
- Reversionary Interest Desired from DNR (320 acres, more or less)
- State Land
- Private Land






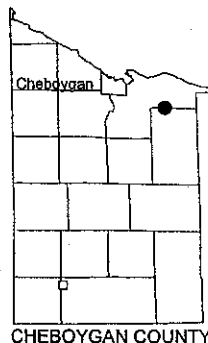
DNR-FMFM  
Dnrgis1:\Com\_Memo\  
memo\19990025 (map 1 of 2)  
05-30-08, 1:45 pm

SALE OF REVERSIONARY INTEREST  
AND DRAINAGE DITCH EASEMENT  
Atlanta Management Unit - Cheboygan County  
Land Transaction Case #19990025  
(Map 2 of 2)



Drainage Easement Detail  
Section 9, T37N, R01E, Benton Township

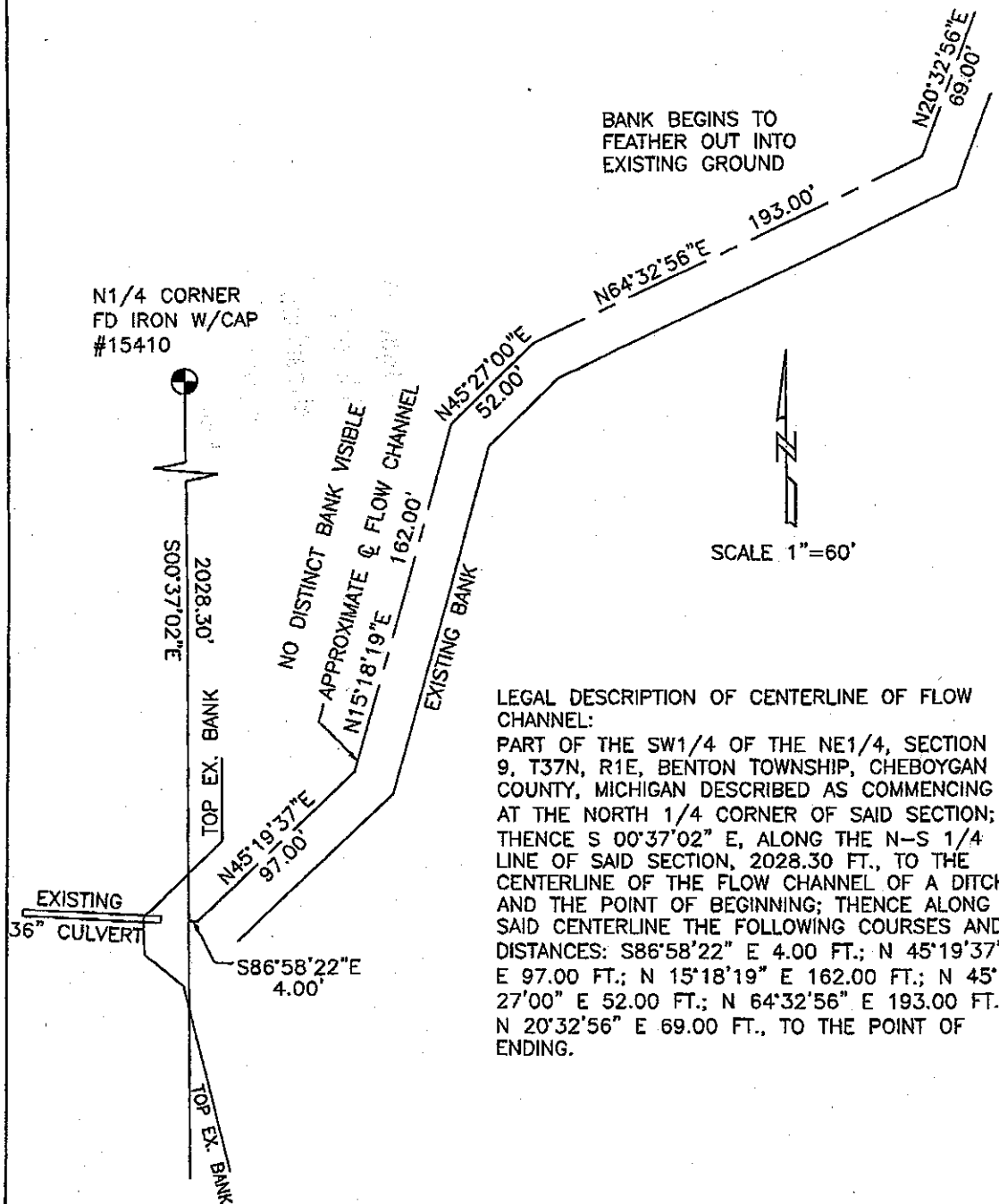
- State Forest Property Line
- Centerline of Existing Ditch
-  Drainage Easement Desired from DNR (30 ft. by 577 ft.)
-  Ditch Spoils
-  Wetlands



DNR-FMFM  
Dnrgis1\Com\_Memo\  
memo\19990025 (map 2)  
05-30-08, 1:45 pm

# CERTIFICATE OF SURVEY

PART OF THE SW1/4 OF THE NE1/4, SECTION 9, T37N, R1E,  
BENTON TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN



## LEGAL DESCRIPTION OF CENTERLINE OF FLOW CHANNEL:

PART OF THE SW1/4 OF THE NE1/4, SECTION 9, T37N, R1E, BENTON TOWNSHIP, CHEBOYGAN COUNTY, MICHIGAN DESCRIBED AS COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION; THENCE S 00°37'02" E, ALONG THE N-S 1/4 LINE OF SAID SECTION, 2028.30 FT., TO THE CENTERLINE OF THE FLOW CHANNEL OF A DITCH AND THE POINT OF BEGINNING; THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES AND DISTANCES: S86°58'22" E 4.00 FT.; N 45°19'37" E 97.00 FT.; N 15°18'19" E 162.00 FT.; N 45°27'00" E 52.00 FT.; N 64°32'56" E 193.00 FT.; N 20°32'56" E 69.00 FT., TO THE POINT OF ENDING.

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ALAN J. GRANGER P.S. No. 52460

CLIENT:

MICHIGAN CRANBERRY CO.

REV: JUNE 3, 2008

DATE: APRIL 17, 2008



Granger and Associates, Inc.

Engineers • Surveyors

224 S. Main Street  
Cheboygan, Michigan 49721  
231-627-2763

SEC. 9, T37N, R1E

DRAWN AJG SHEET 1 OF 1

JOB NO. C1413-01